

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 22, 2006
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 16, 2006

Date: October 15, 2006

From:

Clifford N. Craig, P.E.
Name (Print or type)


(Signature)

-- Dynamic Consultants, Inc.

Agency, jurisdiction, chapter, company, association, individual, etc.

1300 Space Park Way Mountain View California 94043
Street City State Zip

I/We (do)(do not) agree with:

☒ [X] The Agency proposed modifications As Submitted on Section No. CCR Title 24 Part 2 Section 1704A.3.1.1.

and request that this section or reference provision be recommended:

☐ [] Approved ☐ [] Disapproved ☐ [] Held for Further Study ☒ [X] Approved as Amended

by the reviewing Code Advisory Committee.

Suggested Revisions to the Text of the Regulations:

Remove the last two sentences of this Section:

“The inspector shall use all means necessary to determine the quality of the weld. The inspector may use gamma ray, magnaflux, trepanning, sonics or any other aid to visual inspection which the inspector may deem necessary to be assured of the adequacy of the welding”

Reason: [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

This request is based on Section 18930 (a)(1). The interpretation of “all means necessary” has always been difficult for the special inspector to determine and is now appropriately covered in section 1705A.2.3. This section states “ the registered design professional in responsible charge shall identify the type and extent of each type of special inspection and each test”. This is the where the responsibility should be and is consistent with the practice presently used the city and county jurisdictions throughout California.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.